

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOSE PINEDA,	§	
Plaintiff,	§	
v.	§	Civil No. 3:15-CV-1036-K
	§	
NATIONSTAR MORTGAGE, LLC	§	
And AURORA LOAN SERVICES, LLC	§	
f/k/a AURORA LOAN SERVICES, INC.,	§	

Defendants.

ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

The United States Magistrate Judge made findings, conclusions and a recommendation in this case. Plaintiff's filed objections on October 13, 2015, and the District Court has made a de novo review of those portions of the proposed findings and recommendation to which objection was made. The objections are overruled, and the Court ACCEPTS the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

It is therefore **ORDERED, ADJUDGED AND DECREED** that Nationstar's Motion to Dismiss, (Doc. 13), and Aurora's Motion to Dismiss, (Doc. 16), are **GRANTED ONLY IN PART**. Plaintiff's claims under Section 392.304(a)(8) of the TDCA (only on the basis of his monthly payment increasing), under Section 392.301(a)(8) of the TDCA, Section 1026.36(c)(1) of the TILA, as well as Plaintiff's Claims for unjust enrichment and to quiet title, and breach of contract are **dismissed**

with prejudice. Defendants' motions are **DENIED** as to Plaintiff's remaining claims. Further, Defendants' Motions to Dismiss filed on April 24, 2015, (Doc. Nos. 5 and 7), are hereby **DENIED** as moot.

SO ORDERED.

Signed October 21st, 2015.


ED KINKEADE
UNITED STATES DISTRICT JUDGE

